DOCUMENT RESUME

ED 333 832 HE 024 691

AUTHOR Collis, John
TITLE Educational Malpractice. Liability of Educators, School Administrators, and School Officials.
REPORT NO ISBN-0-87473-638-2
PUB DATE 90
NOTE 702p.
AVAILABLE FROM The Michie Company, P.O. Box 7587, Charlottesville, VA 22906-7587 ($55.00).
PUB TYPE Legal/Legislative/Regulatory Materials (090) -- Information Analyses (070) -- Books (010)

EDRS PRICE Document Not Available from EDRS.
DESCRIPTORS Academic Standards; *Accountability; Administrators; *Court Litigation; *Educational Malpractice; *Educational Responsibility; Elementary Secondary Education; Higher Education; *Legal Responsibility; *School Personnel; State Standards; Teachers
IDENTIFIERS Iowa; Nebraska; Oregon; Utah

ABSTRACT

This treatise is a compilation of various educational malpractice cases as well as other references regarding educational malpractice and related malpractice cases from other professions, such as medicine, law and psychiatry, and is intended to serve as a source for understanding the complex and sensitive problems relating to educational malpractice. Relevant portions of complaints, answers, briefs, memorandums, court opinions, and articles are included. The text focuses in particular on whether courts should entertain educational malpractice suits. The first of five parts treats the status of educational malpractice past and present including a general overview, a survey of the law, and legal theories available. Part II is a summary and analysis of educational malpractice cases including landmark "pure" cases, "hybrid" cases, cases in higher education, and peripheral cases. Part III presents an analysis of the arguments advanced for and against recognizing educational malpractice and application of validity criteria. Measures taken to monitor the educators are the subject of part IV. The last part presents a general view on educational malpractice and a summation. Ten appendixes reproduce standards of competence for Nebraska, Utah, Iowa, and Oregon and the text of six pertinent cases. (JB)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****